

**ASSEMBLY BILL**

**No. 904**

**Introduced by Assembly Member Houston**

February 18, 2005

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An act to add Section 511.5 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 904, as introduced, Houston. Employment: workweek.

Existing law, with certain exceptions, establishes 8 hours as a day's work and a 40-hour workweek, and requires payment of prescribed overtime compensation for additional hours worked. Existing law authorizes the adoption by  $\frac{2}{3}$  of employees in a work unit of alternative workweek schedules providing for workdays no longer than 10 hours within a 40-hour workweek.

This bill would exempt individual employees from the alternative workweek and would permit each employee to, with the consent of his or her employer, adopt an alternative workweek schedule providing for workdays up to 12 hours within a 40-hour workweek, so long as the employee is guaranteed a base salary.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 511.5 is added to the Labor Code, to
- 2 read:
- 3 511.5. Notwithstanding Section 511, an individual employee
- 4 shall not be required to adopt an alternative workweek and may,
- 5 with the consent of his or her employer, work up to 12 hours per

- 1 day within a 40-hour workweek, provided that the employee is
- 2 guaranteed a base salary.

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